

## **Topline Summary of the War Powers Amendments of 2021**

Sponsor: Rep. Peter DeFazio (OR-04)

- **Reaffirms Congress's War Powers:** States U.S. forces may be introduced into hostilities only with a declaration of war or a specific statutory authorization (AUMF) from Congress.
  - Exceptions and Consultation: Allows the President an exception to the above in the case of an immediate threat to the U.S., its forces, or its citizens overseas. Requires Congressional consultation prior to taking action and immediate removal of unauthorized forces within 30 days, with an opportunity to extend only for 15 more days.
- **Sets Strict Parameters for Future AUMFs:** Requires any future AUMF to clearly identify the threat, mission, objectives, parameters for when use of force should end, specific countries where use of force will take place, and the specific countries or organized armed groups against which the U.S. will use force. Requires a new authorization to expand any of the above.
  - Two-Year Sunset Clause: Requires any AUMF to terminate within two years, unless Congress reauthorizes it. Any subsequent reauthorization will also terminate within two years. This will ensure every Congress has to vote on AUMFs.
  - Prohibits Funds for unauthorized military actions not in accordance with this bill.
- **Unclassified Reports to Congress:** Requires the President to send a public, unclassified version of reports to Congress at least once every month to help ensure public transparency. Requires a cost report/estimate for ongoing operations.
- **Closes Loopholes and Updates for 21<sup>st</sup> Century Warfare:** Updates definitions of “hostilities”, “introduce”, and “U.S. Forces” to close loopholes and include advanced technologies like remote piloting/drones, actions like targeting assistance and mid-air refueling, and more within the bill’s parameters. Requires Congressional authorization/consultation no matter whether U.S. is directly or indirectly involved, no matter whether offensive or defensive.
- **Judicial Review:** Gives Members of Congress standing to sue if the President fails to comply with any of the requirements of this bill. Grants expedited judicial consideration.